

REMARKS*Claim Summary*

Claim 1 is amended to incorporate the subject matter of claims 2 and 3; claims 2 and 3 are canceled. Thus, no new subject matter is added.

Claim 6 is amended to clarify the affixing related to the first number. The amended language is supported at least by (unnumbered) page 2, lines 1-10 and (unnumbered) page 3, lines 11-14 of applicant's specification.

Claim 10 is amended to clarify the type of the second number. This is supported at least on (unnumbered) page 2, lines 16-20 of applicant's specification.

Claims 17 and 18 are amended for clarity.

Claims 2-3 and 12-14 have been cancelled without prejudice or disclaimer.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of Claims 1-18 under 35 U.S.C. § 102 (b) as being anticipated by US 6,226,619 (Halperin)

Applicant has cancelled claims 2-3 and 12-14, thereby rendering their rejection moot.

Applicant has amended claims 1, 6, and 10 to clarify the invention. Applicant respectfully requests reconsideration of the rejection of amended claims 1 and 10 under 35 U.S.C. § 102(b) as being clearly anticipated by Halperin.

Applicant respectfully traverses the rejection of amended claims 11, 15, and 17

Applicant respectfully submits that Halperin does not anticipate, either expressly or inherently, each and every element as set forth in independent Claims 1, 6, 10, 11, 15, and 17. Specifically, each of the independent Claims 1, 6, 10, 11 and 17 requires an RFID tag that comprises a first number from which a second number that is a cryptographic signature is determined. Also, independent claim 15 makes it clear that the first number is obtained from an RFID tag and used with a cryptographic signature to determine a forgery.

These aspects are not anticipated either expressly or inherently, in Halperin.

Halperin is directed to “a method and system for preventing counterfeiting of an item, include[ing] an interrogatable tag attached to the item”. Contrary to assertions in the Office Action that the first number is in the interrogatable tag, Halperin repeatedly describes the Halperin analogy to applicant’s first number as being on the label of the item, never in the interrogatable tag. .

Such an assertion is made in the rejection of claim 2 (which has been combined into claim 1) on page 3, lines 1-2 of the Office Action, whereat FIG. 1 is cited. But FIG. 1 does not describe which numbers are where. However, at col. 5, lines 46-47, the label is described as having a serial number on it, not a cryptographic signature.

Another such assertion is made in the rejection of claim 6 at page 3, line 19 to page 4, lines 7 of the Office Action, whereat the Office Action cites FIG. 1. The office action goes on to analogize a “label serial number” (which is an unspecified reference) to applicant’s second number (at page 4, line 3), and thereby seemingly analogizes “a number read from the tag” (another unspecified reference) to applicant’s first number. But Halperin’s “label serial number” is never described in Halperin as being a cryptographic signature and Halperin’s “a number read from the tag” is never described as being a number analogous to applicant’s first number, i.e., a number used to generate the cryptographic signature (as required by the claims).

Another such assertion is made in the rejection of claim 11 at page 5, line 2 of the Office Action, whereat the Office Action cites FIG. 1. There is no support in FIG. 1 alone as to what is

contained in the interrogatable tag, but Halperin never describes Halperin's analogy (the product serial number) to applicant's first number as being in the RFID tag.

Another such assertion is made in the rejection of claim 15 at page 6, line 2 of the Office Action, whereat the Office Action cites FIG. 1 again as showing that Halperin's analogy to applicant's first number is in the interrogatable tag. The same argument as previously made applies.

Another such assertion is made in the rejection of claim 17 at page 6, line 13 of the Office Action, whereat the Office Action cites FIG. 1 and col. 5, lines 50-65 as showing that Halperin's analogy to applicant's first number is in the interrogatable tag. The same argument as previously made applies for the reference to FIG. 1. Col. 5, lines 50-65 make it clear that Halperin's analogy (the serial number of the product) to applicant's first number is on the label of the product, not in the interrogatable tag, since the number being verified (the signature) is stated to be from the interrogatable tag.

Therefore, Halperin does not disclose a number analogous to applicant's first number as being in the interrogatable tag (applicant's RFID tag) as required by amended independent Claims 1, 6, 10, 11, 15, and 17. In contrast, Halperin describes the first number as being on the label of the product.

Applicant therefore submits that Claims 1, 6, 10, 11, 15, and 17 are not anticipated by Halperin, and therefore that the rejection of Claims 1, 6, 10, 11, 15, and 17 under 35 USC 102(b) is improper and should be withdrawn. Applicant requests that Claims 1, 6, 10, 11, 15, and 17 now be passed to allowance.

Dependent Claims 4, 5, 7, 8, 9, 16, and 18 depend from, and include all the limitations of independent Claims 1, 6, 10, 11, 15, and 17, which claims are shown to be allowable for the reasons given above. Therefore, Applicants respectfully submit that dependent Claims 4, 5, 7, 8, 9, 16, and 18 are in proper condition for allowance and request that Claims 1, 4-11, and 15-18 now be passed to allowance.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicants. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

Please send correspondence to:
Motorola, Inc.
Intellectual Property Dept.
1303 E. Algonquin Road
Schaumburg, IL 60196
Customer Number: 22917

By:	<u>/James Lamb/</u>	<u>March 28, 2007</u>
	James Lamb	Date
	Attorney for Applicant	
	Registration No. 38,529	
	Tel. No. (847) 576-5054	
	Fax No. (847) 576-3750	
	Email:jim.lamb@motorola.com	